

12-23-02

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of an utility or plant application filed on or after June 8, 1995
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/853,104
Filing Date	December 20, 2002
First Named Inventor	James R. Richard
Group Art Unit	3765
Examiner Name	Alissa L. Hoey
Attorney Docket Number	01478-P0006B

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); interim Rule 65 Red. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office, 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on November 18 2002
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of _____ months. (Period of suspension shall be exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment to Deposit Account No. 19-4516.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Any Fee Deficiency
- b. ☒ Check in the amount of \$370 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

RECEIVED
DEC 26 2002
TC3700 MAIL ROOM

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Todd M. Oberdick	Registration No (Attorney/Agent)	44,268
Signature	<i>Todd M. Oberdick</i>	Date	December 20, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE; Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: December 20, 2002.

Name (Print / Type)	Caroline Gahagan	Date	December 20, 2002
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

12/24/2002 MHOHAMM1 00000034 09853104

01 FC:2801

370.00 0P

Express Mail No. EL 550 087 215 US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<div style="display: flex; align-items: center; justify-content: center;"> <div style="border: 1px solid black; border-radius: 50%; padding: 10px; margin-right: 10px; text-align: center;"> OIP DEC 20 2002 PATENT & TRADEMARK OFFICE </div> <div> <h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2001</h2> <p style="font-size: small; margin-top: 5px;">Patent fees are subject to annual revision</p> </div> </div>		Complete if Known		
		Application No.	09/853,104	
		Filing Date	May 10, 2001	
		First Named Inventor	James R. Richard	
		Examiner Name	Alissa L. Hoey	
		Group Art Unit	3765	
TOTAL AMOUNT OF PAYMENT (\$)		370.00	Attorney Docket Number	01478-P0006B GSW/DC

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																																																	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payment to: Deposit Account Number: 19-4516 Deposit Account Name: St.Onge Steward Johnston & Reens LLC <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				3. ADDITIONAL FEES <table style="width: 100%; font-size: small;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing for or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840</td><td>Requesting publication of SIR after Examiner Action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Informational Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per Property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing for or oath		127	50	227	25	Surcharge - late provisional filing or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840	Requesting publication of SIR after Examiner Action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	240	126	240	Submission of Informational Disclosure Stmt		581	40	581	40	Recording each patent assignment per Property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																
105	130	205	65	Surcharge - late filing for or oath																																																																																																																																																																																	
127	50	227	25	Surcharge - late provisional filing or cover sheet																																																																																																																																																																																	
139	130	139	130	Non-English specification																																																																																																																																																																																	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																	
113	1,840*	113	1,840	Requesting publication of SIR after Examiner Action																																																																																																																																																																																	
115	110	215	55	Extension for reply within first month																																																																																																																																																																																	
116	400	216	200	Extension for reply within second month																																																																																																																																																																																	
117	920	217	460	Extension for reply within third month																																																																																																																																																																																	
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																																	
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																																	
119	320	219	160	Notice of Appeal																																																																																																																																																																																	
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																																	
121	280	221	140	Request for oral hearing																																																																																																																																																																																	
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																	
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																	
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																																	
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																																	
143	460	243	230	Design issue fee																																																																																																																																																																																	
144	620	244	310	Plant issue fee																																																																																																																																																																																	
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																	
123	50	123	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																	
126	240	126	240	Submission of Informational Disclosure Stmt																																																																																																																																																																																	
581	40	581	40	Recording each patent assignment per Property (times number of properties)																																																																																																																																																																																	
146	740	246	370	Filing a submission after final rejection (37CFR § 1.129(a))																																																																																																																																																																																	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																	
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																																	
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																	
FEE CALCULATION				101 740 201 370 Utility filing fee \$ 370.00 106 330 206 165 Design filing fee 107 510 207 255 Plant filing fee 108 740 208 370 Reissue filing fee 114 160 214 80 Provisional filing fee SUBTOTAL (1) (\$) 370.00																																																																																																																																																																																	
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other				2. EXTRA CLAIMS FEES <table style="width: 100%; font-size: small;"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>-20**=</td> <td>X</td> <td>=</td> </tr> <tr> <td>Multiple Dependent Claims</td> <td>-3**=</td> <td>X</td> <td>=</td> </tr> </tbody> </table> <table style="width: 100%; font-size: small;"> <thead> <tr> <th>Larg e Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claims, if not paid</td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40</td><td>** Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> <p>** or number previously paid, if greater; For Reissues, see above</p> SUBTOTAL (2) (\$) 0.00				Total Claims	Extra Claims	Fee from Below	Fee Paid	Independent Claims	-20**=	X	=	Multiple Dependent Claims	-3**=	X	=	Larg e Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	84	202	42	Independent claims in excess of 3	104	280	204	140	Multiple dependent claims, if not paid	109	80	209	40	** Reissue independent claims over original patent	110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																				
Total Claims	Extra Claims	Fee from Below	Fee Paid																																																																																																																																																																																		
Independent Claims	-20**=	X	=																																																																																																																																																																																		
Multiple Dependent Claims	-3**=	X	=																																																																																																																																																																																		
Larg e Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																	
103	18	203	9	Claims in excess of 20																																																																																																																																																																																	
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																																	
104	280	204	140	Multiple dependent claims, if not paid																																																																																																																																																																																	
109	80	209	40	** Reissue independent claims over original patent																																																																																																																																																																																	
110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																	
SUBTOTAL (3) (\$)				0.00																																																																																																																																																																																	

SUBMITTED BY		St.Onge Steward Johnston & Reens LLC		Complete (if applicable)	
Name (Print Type)	Todd M. Oberdick	Registration No. (Attorney/Agent)	44,268	Telephone	203 324-6155
Signature	<i>Todd M. Oberdick</i>			Date	12/20/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form.
 Provide credit card information and authorization on PTO-2038

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Express Mail No. EL 550 087 215 US